

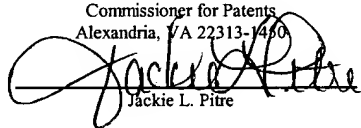


PATENT
TH1948

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 09/841,444
Confirmation No.: 4543
Filing Date: April 24, 2001
Inventors: Wellington et al.
Title: IN SITU THERMAL
PROCESSING OF A
HYDROCARBON
CONTAINING FORMATION
IN A REDUCING
ENVIRONMENT

§ Examiner: G. A. Suchfield
§ Art Unit: 3672
§ Atty. Dkt. No.: 5659-02300/EBM
§

<p>CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8</p> <p>DATE OF DEPOSIT: <u>Nov 22, 2004</u></p> <p>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail on the date indicated above and is addressed to:</p> <p>Commissioner for Patents Alexandria, VA 22313-1450</p> <p> Jackie L. Pitre</p>

**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION
OVER A PATENT APPLICATION**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

1. Applicant is the owner of all rights in the captioned patent application. Applicant certifies that it is the assignee of the entire right, title and interest in the captioned patent application by virtue of an assignment from the inventors of the captioned patent application, the assignment recorded with the Patent and Trademark Office at Reel 012600, Frame 0219.
2. Applicant is the owner of all rights in U.S. Patent Application No. 10/128,701. Applicant certifies that it is the assignee of the entire right, title and interest in U.S. Patent Application No. 10/128,701 by virtue of an assignment from the inventors of the patent application, the assignment recorded with the Patent and Trademark Office at Reel 013477, Frame 0897.
3. Applicant hereby agrees that any patent granted on the captioned patent application shall be enforceable only for and during such period that the patent and any patent granted on U.S. Patent Application No. 10/128,701 are commonly owned. This agreement runs with any patent granted on

the captioned patent application and is binding upon the grantee of such patent, and its or his successors or assigns.

4. As sole owner in the captioned patent application, Applicant hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the captioned patent application which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §154 to §156 and §173, as presently shortened by any terminal disclaimer, of any patent granted on U.S. Patent Application No. 10/128,701.

5. In making the above disclaimer, Applicant does not disclaim the terminal part of any patent granted on the captioned patent application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §154 to §156 and §173 of a patent granted on U.S. Patent Application No. 10/128,701, as presently shortened by any terminal disclaimer, in the event that the patent granted on U.S. Patent Application No. 10/128,701 later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. §1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

6. A fee authorization for the required fee is attached.

By: 

Eric B. Meyertons
Reg. No. 34,876

Attorney for Applicant

MEYERTONS, HOOD, KIVLIN, KOWERT & GOETZEL, P.C.
P.O. Box 398
Austin, TX 78767-0398
(512) 853-8800 (voice)
(512) 853-8801 (facsimile)

Date: Nov 22, 2004

